

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re

JLM COUTURE, INC.,

Debtor.

Chapter 11  
(Subchapter V)

Case No. 23-11659 (JKS)

**Hearing Date: TBD**  
**Objection Deadline: TBD**

**Re: Docket No. 179**

**MOTION TO SEAL EXHIBIT TO DEBTOR’S MOTION FOR ENTRY OF AN ORDER  
PURSUANT TO BANKRUPTCY RULE 9019 APPROVING SETTLEMENT  
AGREEMENT BY AND AMONG THE DEBTOR AND HAYLEY PAIGE GUTMAN**

1. JLM Couture, Inc. (the “Debtor”), by and through undersigned counsel, hereby files this motion (the “Motion to Seal”) for an order sealing Exhibit 1 to the Proposed Order filed with the *Debtor’s Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019 Approving Settlement Agreement by and Among the Debtor and Hayley Paige Gutman* filed on May 16, 2024 (the “9019 Motion”), and in support hereof, respectfully states as follows<sup>1</sup>:

**Background**

2. On May 15, 2024, the Debtor, Hayley Paige Gutman, and Conrad Clevlen entered into a settlement agreement (the “Settlement Agreement”) resolving all of the claims that they have against each other. The Settlement Agreement contains a confidentiality provision as well as financial and proprietary information of the Debtor and Ms. Gutman, that could prove harmful if made public. As such, the Debtor believes that such information should be filed under seal.

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<sup>1</sup> Capitalized terms not otherwise defined herein have the meanings given to them in the 9019 Motion.

**JURISDICTION AND VENUE**

3. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue for this matter is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

**RELIEF REQUESTED**

4. By this Motion to Seal, the Debtor respectfully request the entry of an Order authorizing it to file Exhibit 1 to the Proposed Order filed with the 9019 Motion under seal in accordance with Bankr. LR 9018-1.

**BASIS FOR RELIEF REQUESTED**

5. Section 107(b) of Title 11 of the United States Code (the “Bankruptcy Code”) provides bankruptcy courts with the power to issue orders that will protect entities from potential harm that may result from the disclosure of certain confidential information. Bankruptcy Code section 107(b) provides, in relevant part:

On request of a party in interest, the bankruptcy court shall, and on the bankruptcy court’s own motion, the bankruptcy court may - - (1) protect an entity with respect to a trade secret or confidential research, development, or commercial information . . . .

11 U.S.C. § 107(b).

6. Rule 9018 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) defines the procedures by which a party may move for relief under section 107(b), and provides that “[o]n motion, or on its own initiative, with or without notice, the court may make any order which justice requires (1) to protect the estate or any entity in respect of a trade secret or other confidential research, development, or commercial information [or] (2) to protect any entity against scandalous or defamatory matter contained in any paper filed in a case under the Code. . .” Fed. R. Bankr. P. 9018. Local Rule 9018-1 sets forth the procedure for filing sealed documents:

Except as otherwise ordered by the Court, any entity seeking to file a document (a “Proposed Sealed Document”) under seal must file a motion requesting such relief (a “Sealing Motion”) no later than three (3) business days after the filing of the Proposed Sealed Document. The Proposed Sealed Document shall be filed separately from the Sealing Motion as a restricted document in accordance with the Court’s CM/ECF procedures.

LR 9018-1.

7. Sufficient cause exists for this Court to grant the relief requested in the Motion to Seal. The Exhibit 1 to the Proposed Order filed with the 9019 Motion contains a confidentiality provision and includes financial and proprietary information of the Debtor and Ms. Gutman.

**CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9018-1(d)(ii)**

8. Undersigned counsel to the Debtor hereby certifies that counsel for the Debtor and counsel for Ms. Gutman have conferred in good faith and reached agreement concerning what information contained in the 9019 Motion must remain sealed from public view.

WHEREFORE, the Debtor respectfully requests that the Court enter an Order granting the Motion to Seal, authorizing the filing of Exhibit 1 to the Proposed Order filed with the 9019 Motion under seal, authorizing filing of the proposed redacted exhibit, and granting such other and further relief that the Court deems just and proper.

Dated: May 16, 2024

CROSS & SIMON, LLC

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